

## *Office of the Chapter 13 Standing Trustee*

### *Andrew B. Finberg, Chapter 13 Standing Trustee*

*Joni L. Gray, Counsel*

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*\*Certified Bankruptcy Assistant*

January 6, 2025

The Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court  
P.O. Box 2067  
Camden, New Jersey 08102

RE: Chapter 13 Bankruptcy  
Debtor(s) Name: Hector M. Sanchez, Jr. and Elisabet A. Sanchez  
Case No: 23-11077 JNP

Dear Judge Poslusny:

Please accept this letter in lieu of a more formal objection to the Application for Compensation filed on December 28, 2024 by Jeanie D. Wiesner, Esquire, in the above-referenced bankruptcy matter. The Trustee requests a hearing be set on this matter.

The Trustee objects to this application for supplemental fees because Counsel's Exhibit A attached with the motion/application provides an hourly breakdown for the dates of August 19, 2024, and August 28, 2024, wherein Debtor's counsel certifies that services were rendered reviewing, discussing, and responding to a Trustee's Certification of Default for 1.20 hours at the hourly rate of \$335.00 = \$400. Firstly, Counsel asserts that it took her twelve (12) minutes to review the Trustee's Certification of Default. Secondly, Counsel asserts that she it took thirty (30) minutes to discuss that Certification of Default with the debtor(s); answering their questions and counseling the debtor(s) regarding her next steps. Lastly (and of concern to the Trustee), Counsel asserts that it took thirty (30) minutes to type the caption (which may already have been prefilled), and to type the sentence, "Debtors will make a payment in the amount of \$2,500.00 on or before September 2, 2024 and propose capitalizing the remaining arrears through the Chapter 13 Plan. Regular monthly auto loan payments will resume September 2024," in opposition to the Certification of Default, and file that opposition. **See Debtor's Opposition to the Certification of Default attached hereto as Ex. A.** Upon further review of the Certification filed by Debtor's counsel, The Trustee's office never filed a Certification of Default in this case. However, Ms. Wiesner is referencing the Motion for Relief from stay filed August 19, 2024 by creditor, Ally Capital. The Trustee believes that the third charge is excessive, not actual, and therefore unreasonable. Therefore, the Trustee requests the fee is reduced by \$167.50, for a total fee amount of \$232.50; payable through the plan.

Additionally, Mr. Sadek is certifying under penalty of perjury that the application is true and correct. However, in Exhibit A, which reflects the hourly breakdown of services rendered, Ms. Wiesner is the only attorney who rendered the subject services. How is Mr. Sadek able to certify the nature of and time spent rendering these services when Ms. Wiesner is the attorney who provides these services and tracked her time?

Additionally, the Trustee respectfully requests that the proposed form of order be amended to reflect new payments of \$249.00 per month for thirty-seven (37) months.

As always, the Court is welcome to contact the Trustee with any concerns.

Respectfully submitted,

**OFFICE OF THE CHAPTER 13  
STANDING TRUSTEE**

*/s/ Andrew B. Finberg*

**ANDREW B. FINBERG,**  
Chapter 13 Standing Trustee

ABF:lka  
Enclosure(s)

c: Jeanie D. Wiesner, Esquire (Debtor(s) Attorney) (via Electronic Case Filing / ECF)  
Hector M. Sanchez, Jr. and Elisabet A. Sanchez (Debtors') (via First Class Mail)